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In the claims:

1. (currently amended) Apparatus for use in a wireless network comprising:

A a device that is capable of automatically selecting one of a plurality of radio frequency channels for communication with other devices, wherein the selection of a radio frequency channel is performed such that radio frequency interference with other devices is reduced, wherein prior to utilizing the selected channel for normal communications the selection of a radio frequency channel is communicated on the selected channel to other devices via a message indicative of an intent to utilize the selected channel.

2. (currently amended) Apparatus operable to select an operating channel in a wireless network comprising:

~~Logic for scanning~~ circuitry operable to scan each of a plurality of radio frequency channels during a scan interval for indication of utilization of ones of the channels;

~~Logic for receiving~~ circuitry operable to receive messages on the plurality of radio frequency channels during the scan interval;

~~Logic for maintaining~~ memory operable to maintain a channel map having an entry for each of the plurality of radio frequency channels, and if one or more messages was received on a channel, the corresponding entry further including a device ID for at least one of the devices that sent a message on the channel;

~~Logic for selecting~~ circuitry operable to select a channel from the channel map based at least in-part on whether an indication of utilization of the selected channel was detected;

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~~Logic for transmitting circuitry operable to transmit~~ messages on the selected channel during a claim interval at least one message indicative of an intent to utilize the selected channel;

~~Logic for receiving circuitry operable to monitor~~ messages on the selected channel during the claim interval for a message from another device indicative of an intent to utilize the selected channel; and

~~Logic for ascertaining circuitry operable to ascertain whether the wireless device~~ apparatus should commence communications with other devices on the selected channel based upon characteristics of the any messages received on the channel.

3. (original) The apparatus of claim 2 wherein the logic for maintaining a channel map further stores a power level for each device ID for each entry in the channel map, and wherein the logic for selecting a channel from the channel map selects a channel having either no device ID or a device ID that has the lowest stored power level.